

United States Patent and Trademark Office  
- Sales Receipt -

05/22/2006 CTHOMAS2 00000001 500850 10655762

01 FC:2203 180.00 DA

Practitioner's Docket No. 701586-53023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Charles R. Cantor, Chunming Ding

Application No.: 10/655,762

Group No.: 1637

Filed: 09/05/2003

Examiner: Kim, Young J.

For: QUANTIFICATION OF GENE EXPRESSION

RECEIVED  
CENTRAL FAX CENTER  
MAY 17 2006

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

In response to the Office Action dated January 17, 2006, Applicants submit a Petition and a fee for one month extension of time, and the following Amendment:

Listing of claims begins at page 2 of this paper.

Remarks begin at page 7 of this paper.

Replacement Sheets for Drawings are submitted herewith.

Code 2203

180.00

JAG/JL

Application Serial No. 10/655,762  
Office Action Mailed January 17, 2006  
Amendment Dated, May 17, 2006

Claim 2 was rejected under 35 U.S.C. §103(a) as obvious over Bunn in view of Carroll et al., (U.S. Patent No. 5,906,744).

Applicants respectfully disagree and submit that the rejection be withdrawn for the following reasons.

As discussed, *supra*, Bunn does not disclose or suggest the claimed invention. The addition of Carroll does not overcome this deficiency. Carroll only discusses various amplification techniques. The combination does not suggest a method that make it simple to accurately measure the amount of target DNA in a biological sample as claimed. Accordingly, the rejection should be withdrawn.

Claims 4 and 8 were objected to as being substantial duplicates of at least one embodiment of claim 1. The amendment to claim 4 has obviated this rejection.

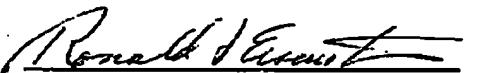
In view of the foregoing, Applicants respectfully submit that all claims are in condition for allowance.

Early and favorable action is requested. Examiner is encouraged to contact the undersigned attorney should she have questions regarding the application.

In the event that any additional fees are required, the PTO is authorized to charge our deposit account No. 50-0850.

Date: May /7, 2006

Respectfully submitted,

  
Ronald I. Eisenstein (Reg. No. 30,628)  
Leena H. Karttunen (Reg. No. L0207)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110  
Tel: (617) 345-6054  
Fax: (617) 345-1300